



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAHUL MANCHANDA,

Plaintiff,

- against -

SHI SHI WANG,
NYS Assistant Attorney General, et al,

Defendants.
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23-CV-9403 (JHR) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order addresses Plaintiff's motion at Dkt. 22 to compel the U.S. Department of Health and Human Services ("HHS") to appear and respond. None of the emails or certificates of service submitted demonstrate proper service on HHS. Plaintiff was informed by the email dated November 20, 2022 at 1:11 p.m. from OnCallLegal, the service agent retained by Plaintiff, that HHS's location at 200 Independence Avenue does not accept personal service, that documents to be served should be mailed, and that Plaintiff that should reach out to OnCallLegal if Plaintiff wished to place a new order for service by mail. See *also* 45 C.F.R. 4.1 (requiring summons and complaint directed to HHS to be served by mail). Plaintiff does not appear to have filed an affidavit of service attesting to the requisite mailing. Accordingly, the motion is denied without prejudice to a future application in the event that Plaintiff effects service by mail and files the requisite proof of service, and HHS fails to appear and respond.

The Clerk of Court is respectfully requested to terminate the motion at Dkt. 22.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: December 11, 2023
New York, New York

Copies transmitted this date to all counsel of record.